



Delaware Erases Rape Kit Backlog

What Was Performed? A special report that reviewed the State of Delaware's use of federal grant funds provided by the National Sexual Assault Kit Initiative (SAKI) for implementing best practices to clear the backlog of untested rape kits.

Why This Engagement? Under [Delaware Code 2909](#), the State Auditor may produce special reports that examine state agencies' performance and offer recommendations for greater accuracy and efficiency, as well as data, information, and recommendations the auditor deems advisable and necessary.

This special report evaluates a state legislative change as trending in other states that can help further improve the state's process regarding SAKs to prevent backlogs from forming and ensure justice for survivors.

What Was Found?

- **Sexual Assault Kits and the SAKI Program:** A Sexual Assault Kit, also referred to as Sexual Assault Evidence Kit or SAK for short, is used for the collection of DNA in the event of a sexual assault case. The SAKI program is a federal grant program created to address the number of unsubmitted DNA test kits managed by law enforcement. The SAKI program provides federal grants to address issues affecting the processing of SAKs.
- **Federal Assistance:** Delaware received \$1.169 million in federal grants in 2015 and an additional \$1 million in 2018 to address SAK backlog and underlying issues.
- **Falling behind:** Six out of seven neighboring states have enacted laws and/or made changes to their policies to mandate timely submission for all rape kits to the crime lab. Delaware has yet to address legislation to prevent future backlogs from accumulating.
- **Observation:** Delaware does not currently mandate testing for all SAKI kits. Delaware's SAKI Coordinator reported that the state is currently working with SAKI Partners toward the goal of implementing a "Test All Kits" policy which reflects SAKI national best practices.
- **Recommendation:** Enact legislation/policy mandating testing for all rape kits to eliminate the backlog from reoccurring and ensure justice is provided for victims.

The new special report, "Delaware Erases Rape Kit Backlog" can be found on our website at auditor.delaware.gov.

Please do not reply to this email. For any questions regarding the attached report, please contact State Auditor Kathleen K. McGuinness at Kathleen.Mcguinness@delaware.gov.